IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

ORDER
IN
S.B. Civil Second Appeal No.220/2000

Mst. Ketuki Wife of Shri Patiram
...defendant-appellant
Versus
Seth Bahadur S/o Shri Jyoti Prasad
...plaintiff-respondent

Date of Order ::: 09.11.2006

Present
Hon'ble Mr. Justice Narendra Kumar Jain

Shri Dinesh Yadav, Counsel for defendant-appellant
Shri Rajnish Gupta, Advocate, for
Shri S.K. Gupta Counsel for plaintiff-respondent
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By the Court:-

Heard learned counsel for the parties.

The plaintiff-respondent filed a suit for specific performance of the agreement, which was decreed by the lower court and the finding of the lower court has been affirmed by the first appellate court also.

I have considered the submissions of the learned counsel for the parties in the light of the findings of both the courts below and I find that the controversial issues involved in the present case are relating to question of fact and there is concurrent finding of fact by both the courts below. No

illegality or perversity has been pointed out in the judgment and decree passed by both the courts below, which call for any interference of this Court in second appeal under Section 100 of the C.P.C.

No substantial question of law is involved in this second appeal and the same is dismissed at admission stage itself with no order as to costs.

(Narendra Kumar Jain) J.

//Jaiman//